IN THE CLAIMS

The pending unamended claims are reproduced below.

1. (PREVIOUSLY PRESENTED) A method for controlling transmit power in a wireless communications system, comprising:

    (a) replacing at least a portion of a frame with an orthogonal code;

    (b) determining a bit error rate for the orthogonal code in the frame transmitted by the wireless communications system; and

    (c) adjusting transmit power in the wireless communications system based on the determined bit error rate.

2. (ORIGINAL) The method of claim 1, wherein the determining step further comprises calculating the bit error rate for the orthogonal code and then estimating the bit error rate for the frame based on the calculation.

3. (ORIGINAL) The method of claim 1, wherein the orthogonal code replaces a header in the frame transmitted by the wireless communications system.

4. (PREVIOUSLY PRESENTED) The method of claim 3, further comprising mapping the header to the orthogonal code using a table, wherein the table associates the header to the orthogonal code.

5. (PREVIOUSLY PRESENTED) The method of claim 4, wherein the mapping step is performed at call set up.

6. (ORIGINAL) The method of claim 1, wherein the orthogonal code replaces padding bits in the frame transmitted by the wireless communications system.

7. (PREVIOUSLY PRESENTED) The method of claim 2, wherein the estimating step comprises extrapolating the bit error rate for the frame from the bit error rate for the orthogonal code.

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8. (PREVIOUSLY PRESENTED) An apparatus for controlling transmit power in a wireless communications system, comprising:

(a) means for replacing at least a portion of a frame with an orthogonal code;

(b) means for determining a bit error rate for the orthogonal code in the frame transmitted by the wireless communications system; and

(c) means for adjusting transmit power in the wireless communications system based on the determined bit error rate.

9. (ORIGINAL) The apparatus of claim 8, wherein the means for determining further comprises means for calculating the bit error rate for the orthogonal code and means for estimating the bit error rate for the frame based on the calculation.

10. (ORIGINAL) The apparatus of claim 8, wherein the orthogonal code replaces a header in the frame transmitted by the wireless communications system.

11. (PREVIOUSLY PRESENTED) The apparatus of claim 10, further comprising means for mapping the header to the orthogonal code using a table, wherein the table associates the header to the orthogonal code.

12. (PREVIOUSLY PRESENTED) The apparatus of claim 11, wherein the means for mapping is performed at call set up.

13. (ORIGINAL) The apparatus of claim 8, wherein the orthogonal code replaces padding bits in the frame transmitted by the wireless communications system.

14. (PREVIOUSLY PRESENTED) The apparatus of claim 9, wherein the means for estimating comprises means for extrapolating the bit error rate for the frame from the bit error rate for the orthogonal code.

15. (PREVIOUSLY PRESENTED) A method for re-transmitting frames with errors in a wireless communications system, comprising:

(a) determining whether a frame was received in error during a transmission in the wireless

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communications system; and

(b) increasing transmit power for a re-transmission of the frame received in error in the wireless communications system, in accordance with the frame's position, in accordance with an amount of data transmitted, or by steps when one or more starting frames are received in error.

16. (ORIGINAL) The method of claim 15, wherein the increasing step comprises immediately increasing the transmit power in when the frame is received in error.

17-19. (CANCELED)

20. (PREVIOUSLY PRESENTED) An apparatus for re-transmitting frames with errors in a wireless communications system, comprising:

(a) means for determining whether a frame was received in error during a transmission in the wireless communications system; and

(b) means for increasing transmit power for a re-transmission of the frame received in error in the wireless communications system, in accordance with the frame's position, in accordance with an amount of data transmitted, or by steps when one or more starting frames are received in error.

21. (ORIGINAL) The apparatus of claim 20, wherein the means for increasing comprises means for immediately increasing the transmit power in when the frame is received in error.

22-24. (CANCELED)

25. (PREVIOUSLY PRESENTED) A method for re-transmitting frames with errors in a wireless communications system, comprising:

(a) determining whether a portion of a frame was received in error during a transmission in the wireless communications system, wherein the frame includes an indicator field comprised of a plurality of bits, each of the bits indicates parity for a corresponding portion of the frame, and one of the bits indicates a parity error for its corresponding portion of the frame; and

(b) invoking a re-transmission of only the portion of the frame received in error without invoking a re-transmission of the entire frame in the wireless communications system.

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26. (CANCELED)

27. (PREVIOUSLY PRESENTED) The method of claim 25, wherein the portion comprises a subset of bits in the frame.

28. (PREVIOUSLY PRESENTED) The method of claim 27, wherein each bit in a particular position of the indicator field represents the parity for the subset of bits in the same relative position in a data portion of the frame.

29. (PREVIOUSLY PRESENTED) An apparatus for re-transmitting frames with errors in a wireless communications system, comprising:

(a) means for determining whether a portion of a frame was received in error during a transmission in the wireless communications system, wherein the frame includes an indicator field comprised of a plurality of bits, each of the bits indicates parity for a corresponding portion of the frame, and one of the bits indicates a parity error for its corresponding portion of the frame; and

(b) means for invoking a re-transmission of only the portion of the frame received in error without invoking a re-transmission of the entire frame in the wireless communications system.

30. (CANCELED)

31. (PREVIOUSLY PRESENTED) The apparatus of claim 29, wherein the portion comprises a subset of bits in the frame.

32. (PREVIOUSLY PRESENTED) The apparatus of claim 31, wherein each bit in a particular position of the indicator field represents the parity for the subset of bits in the same relative position in a data portion of the frame.

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G&C 139.147-US-U1